

**MINUTES OF MARION CITY COUNCIL PUBLIC HEARING,
SPECIAL MEETING & REGULAR MEETING
COUNCIL CHAMBERS AT CITY HALL
TUESDAY, June 11, 2013**

PUBLIC HEARING - 5:30 p.m. - Public Hearing to Set Millage for Raising Funds and to Adopt the Budget for the City of Marion,

South Carolina Fiscal Year Ending June 30, 2013

Mayor Pro-tem Ronald Atkinson called the Public Hearing to order and asked if anyone had questions or comments on the budget. With no questions being asked, Councilman Michael Baker made a motion to adjourn the Public Hearing, seconded by Councilman Ralph Atkinson; motion carried.

Mayor Bobby L. Davis re-opened the Public Hearing for questions or concerns regarding PDRTA. Ms. Kathy Hall spoke on behalf of the bus riders and asked that the City financially help PDRTA keep the buses running from Marion to Myrtle Beach in order to keep their jobs. Mayor Davis stated that he and Council members were concerned about jobs in the City of Marion and would do whatever is in their power to meet that obligation. Councilwoman Gregg asked that Ms. Hall obtain a list of signatures of all PDRTA riders present and keep for future reference. Mayor Davis stated there would be a Town Hall meeting next month and questions would be welcome, date and time to be announced. Mayor Davis further stated that the Youth Council (ages 5-21) would be held on June 24th at 5:30 p.m. at Council chambers, with the Adult Council (ages 22-61) following at 6:30 p.m.

With no further discussion, Mayor Pro-tem Ronald Atkinson made a motion to adjourn, seconded by Councilwoman Odessa Gregg; motion carried.

SPECIAL MEETING – 5:45 p.m.

Mayor Davis called the special meeting to order and entertained a motion to enter Executive Session.

EXECUTIVE SESSION

Mayor Pro-tem Ronald Atkinson made a motion to enter Executive Session regarding an update on a pending lawsuit, seconded by Councilwoman Odessa Gregg; motion carried. No action was taken.

REGULAR MEETING - 6:30 P.M.

A regular meeting was held by City Council on June 11, 2013 at 6:30 p.m. over which Mayor Bobby L. Davis presided. Council members Michael Baker, Ronald Atkinson, Ralph Atkinson, Odessa Gregg and Emerson Hunt were present. Also present were City Administrator Alan Ammons, City Treasurer Patricia Brown, City Clerk Pam Jones and Attorney Robert Lee.

Mayor Davis called the meeting to order and Councilwoman Gregg gave the opening prayer. Mr. Ammons led the Pledge of Allegiance. Mayor Davis welcomed all guests and the press (Star-Enterprise & Hometown TV).

Councilman Ralph Atkinson made a motion to accept the minutes from the regular meeting on May 14, 2013, seconded by Mayor Pro-tem Ronald Atkinson; motion carried.

Councilman Ralph Atkinson made a motion to accept the minutes from the special meeting on May 15, 2013 (budget workshop), seconded by Councilwoman Odessa Gregg; motion carried.

Councilman Ralph Atkinson presented and read a Resolution from the Mayor and City Council to Representative Jim Battle in appreciation of his numerous accomplishments and contributions to the City of Marion and the community at large. Representative Battle thanked the Mayor and Council for the presentation.

Mayor Davis presented a State Boys & Girls Club Youth of the Year Award to Jamal Woodberry. Jamal was also presented with a book "Why Should We Hire You?" which was signed by the author Brooks Harper. Mayor Davis then presented Jamal with an award from the South Carolina House of Representatives recognizing the state winners of the Boys & Girls Club Youth of the Year. Mayor Davis expressed that the City is proud to recognize Jamal for his hard work and accomplishments.

Due to being in Washington DC, former Mayor Rodney Berry was unavailable to accept his plaque. Mayor Davis stated that this award would be presented at a later date.

Mayor Pro-tem Ronald Atkinson presented a plaque to former Councilwoman Betsy Atkinson for her service and dedication to the citizens of the City of Marion.

The following were presented to Council for the Employee Safety Committee for a 4 Year Term ending June 2017: Captain Cindy Barr, Chief Trey Cooper, Elizabeth Fick, Winky Fore and Ronnie Sanders. Councilman Michael Baker made a motion to accept the re-appointments as presented, seconded by Mayor Pro-tem Ronald Atkinson; motion carried

The following were presented to Council for the Fireman's Trust Fund Committee: Appoint to 4 Year Term ending June 2017 - Mayor Bobby L. Davis, Chief Trey Cooper; Re-appoint to 4 Year Term ending June 2017 - Ashley Brady, Patricia Brown and Reaves Gasque. Councilman Michael Baker made a motion to accept appointments and re-appointments as presented, seconded by Councilwoman Odessa Gregg; motion carried.

The following were presented to Council for Housing Rehabilitation Committee: Appoint to 4 year Term ending June 2017 - Odessa Gregg; Re-appoint to 4 Year Term ending June 2017 - Michael Baker, Sylvia Dorsey, Mary Eaddy, and Lowell Koch. Mayor Pro-tem Ronald Atkinson made a motion to accept appointments and re-appointments as presented, seconded by Councilwoman Odessa Gregg; motion carried.

The following were presented to Council for Risk Management Safety Committee: Appoint to 4 Year Term ending June 2017 - Captain Cindy Barr, Chief Trey Cooper, Assistant Chief Chris McKenzie; Re-appoint to 4 Year Term ending June 2017 - Winky Fore, Ronnie Sanders, and Billy Thompson. Councilman Michael Baker made a motion to accept appointments and re-appointments as presented, seconded by Councilwoman Odessa Gregg; motion carried.

The following were presented to Council for Housing Authority Committee: Re-appoint to 5 Year Term ending June 2018

- Raymond Davis and Lisa Seabrook. Councilman Michael Baker made a motion to accept re-appointments as presented, seconded by Mayor Pro-tem Ronald Atkinson; motion carried.

Regarding the Fox Watch Committee, Mayor Davis asked for Council to make a decision on whether to keep this committee active or to dissolve. After comments from a former member who stated that meetings were no longer being held, Mayor Pro-tem Ronald Atkinson made a motion to dissolve the Fox Watch Committee, seconded by Councilman Michael Baker; motion carried

Councilman Michael Baker made a motion to accept 2nd Reading on **ORDINANCE 13-02, AN ORDINANCE TO SET MILLAGE FOR RAISING FUNDS AND TO ADOPT THE BUDGET FOR THE CITY OF MARION, FISCAL YEAR ENDING JUNE 30, 2014**, seconded by Councilwoman Odessa Gregg; motion carried.

Councilman Michael Baker made a motion to accept 2nd Reading on **ORDINANCE 13-03, AN ORDINANCE TO APPROPRIATE LOCAL HOSPITALITY REVENUES FOR THE CITY OF MARION FOR THE 2013-2014 FISCAL YEARS**, seconded by Councilwoman Odessa Gregg; motion carried

Councilman Ralph Atkinson made a motion to accept 2nd Reading on **ORDINANCE 13-04, AN ORDINANCE TO CREATE THE MUNICIPAL COURT DEPARTMENT**, seconded by Councilman Michael Baker; motion carried. Councilman Emerson Hunt abstained.

Mayor Pro-tem Ronald Atkinson made a motion to accept 1st Reading on **ORDINANCE 13-05, AN ORDINANCE TO SET RATES FOR SANITATION SERVICES**, seconded by Councilman Michael Baker; motion carried.

Regarding the 1st Reading on **ORDINANCE 13-06, AN ORDINANCE TO AUTHORIZE THE SALE OF CERTAIN PROPERTIES BY RECEIVING SEALED BIDS, SUBJECT TO THE CITY'S POWER TO REJECT ALL BIDS**, Mayor Bobby Davis stated that there is a concern that there is a supposed lease on this property and would like the City Administrator and City Attorney

to address this issue before Council votes. Attorney Lee stated that the proposed tenant had to provide proof of insurance as she was planning to open a day care and the City does not serve as the insurer of a tenant. She eventually informed Mr. Ammons that she could not secure insurance. Mr. Ammons advised that when the City took legal possession of the (Cheezem) building, our maintenance supervisor changed all the locks and secured the building and there has been no further activity at the property. Councilman Baker asked that Mr. Ammons elaborate on the claims of the work that was done (as stated in the potential tenant's letter) prior to the agreement. Mr. Ammons stated that she was renting from someone who was not the owner and when Mayor Berry and Mr. Ammons went to the property there was work being done at that time, prior to the City taking legal possession of the building. Mr. Ammons stated that he had contacted Ms. Green to let her know the City was considering selling the building. With no further discussion, Councilman Ralph Atkinson made a motion to accept 1st Reading as presented, seconded by Councilman Michael Baker; motion carried.

Regarding 1st Reading on **ORDINANCE 13-07, (AMENDING ORDINANCE 10-02)**

AN ORDINANCE AMENDING PART 6; HEALTH and SANITATION SECTION 6-1009.1 through 6-1009.6; WEEDS AND

VEGETATION, Mr. Ammons stated that our fees were less than private businesses were charging and it was never Council's

intention to compete with privately owned businesses, so we have raised our rates accordingly and also made a change that should the City have to go in and use small equipment or do hand work, the charge would be the set fee, plus \$100.00 per hour.

Councilman Ralph Atkinson made a motion to accept the 1st reading as presented, seconded by Mayor Pro-tem Ronald Atkinson; motion carried.

Councilman Ralph Atkinson made a motion to set date for Public Hearing on **ORDINANCE 13-05,**

AN ORDINANCE TO SET RATES FOR SANITATION SERVICES, ORDINANCE 13-06, AN ORDINANCE TO AUTHORIZE THE SALE

OF CERTAIN PROPERTIES BY RECEIVING SEALED BIDS, SUBJECT TO THE CITY'S POWER TO REJECT ALL BIDS and

ORDINANCE 13-07, (AMENDING ORDINANCE 10-02) AN ORDINANCE AMENDING PART 6; HEALTH and SANITATION

SECTION 6-1009.1 through 6-1009.6; WEEDS AND VEGETATION for July 9, 2013 at 6:25 p.m. before the regular Council

meeting, seconded by Councilman Michael Baker, motion carried.

Mr. Ammons stated that Herrington Construction was the low bidder for the South Marion Drainage Project with a bid of \$70,929. The CTC funds for this project are \$68,000 and Mr. Ammons recommends that we accept the low bid and that Council authorize him and Mayor Davis to negotiate the low bid down to the CTC's funding of \$68,000. Councilman Ralph Atkinson made a motion to allow the Mayor and Administrator to accept the low bid and negotiate with Herrington Construction; seconded by Councilwoman Odessa Gregg; motion carried.

Regarding the Fire Department Classroom bid, per Mr. Ammons, this money is coming from an insurance reimbursement (approximately \$2,900) from storm damage to the Fire Department training ground classroom located behind the Police Department. The low bid is Patrick Brady Construction for \$36,400 and the Mayor and Administrator will try to negotiate a lower price if Council so desires. Councilman Ralph Atkinson made a motion to authorize the Mayor and City Administrator to negotiate with low bidder Patrick Brady Construction to fulfill the repairs to the fire department classroom, seconded by Mayor Pro-tem Ronald Atkinson; motion carried

ADMINISTRATOR'S REPORT

Included in Council's packet is a memo regarding HMRA funding. This memo is for information only and should Council want to make adjustments they may notify Mayor Davis or Mr. Ammons.

Mr. Ammons stated that the Grice's Pool Project and Boys and Girls Club were re-bid and the low base bid was \$405,000 from Patrick Brady Construction. This will be handled by the County on the 1% Capital Sales Taxes money and we are no longer on a timeline where we were going to use our funds up front. Mr. Ammons recommends we follow the recommendation of Eddie Rodelsperger (engineering firm). A copy of the recommendations has been provided to Council. Councilman Ralph Atkinson made a motion to award the bid, based on the recommendation of the engineering firm, to Patrick Brady Construction, for \$405,000 plus the Alternate Two (\$6,200) attached to the e-mail, for a total of \$411,200, as presented and recommended, seconded by Councilman Michael Baker. In regards to an inquiry from Councilman Atkinson, Mr. Ammons stated that the time frame for the pool project should be within a couple of weeks, as we are awaiting the letter of intent from the County. The Boys and Girls Club renovations should begin sometime after the new school year starts and Latoria Lewis (BCGC Director) has been advised. With no further discussion, motion carried.

Mr. Charles McElveen is proposing a "green space", which includes tree plantings, on West Godbold Street at the location of the old Marion Grammar School (behind the museum) and would like to partner with the City. As of now, we have missed the time frame for planting this year and Mr. Ammons will ask Mr. McElveen to submit a proposal in the fall on what he is willing to furnish as far as purchasing trees.

Mr. Ammons reported that open enrollment was held and there was no increase in health insurance costs for the employees this year.

Billy Thompson of the Recreation Department was named *May Employee of the Month* and presented with a gift card.

CITY ATTORNEY' S LEGAL UPDATE

Attorney Robert Lee had nothing to update at this time.

DEPARTMENTAL REPORTS

Mayor Davis commented that the Departmental Reports are sent in Council's packets. Chief Jim Gray commented that new 2 recruits were coming out of the Academy. Judge Patricia Speth thanked Council for moving forward in separating the Municipal Court from the Police Department. Various committees were represented.

ACCOUNTABILITY OF CITY OFFICIALS/COMMENTS FROM COUNCIL AND MAYOR

Councilman Michael Baker commented that numerous letters had been sent out regarding the weeds and vegetation growth as inquired as to when the City would start cutting the overgrowth. Mr. Ammons commented that we have already started cutting the properties and some owners have already sent us money to cut theirs. Mayor Davis commented that was the reason for creating Ordinance 13-07 which amended Ordinance 10-02 and changed the rates the City charges on cutting overgrown personal property.

Mayor Pro-tem Ronald Atkinson commented that he noticed the City had been cutting the right-of-ways and keeping paper picked up and it looks a lot better.

Councilman Ralph Atkinson had no comment at this time.

Councilwoman Odessa Gregg commented that a sign needed to be put up at Grice's to identify the facility. Mr. Ammons responded that a car ran off the road and into the sign out front. Our plan is to put a new sign on the building when the work is being done at the Boys & Girls Club.

Councilman Emerson Hunt expressed his appreciation at being elected to the District 3 seat and would fight hard to keep his seat. He has received numerous calls regarding his being a bail bondsman and also a Council member and referred this matter to the Attorney General's office for their opinion. Councilman Hunt passed out a copy of the Attorney General's opinion that there is nothing prohibiting him from serving as City councilman and bail bondsman. He stated that he was here to represent the citizens of Marion to the best of his ability and to fight fairly and impartially for everyone in the City.

Mayor Davis commended Billy Thompson for being named Employee of the Month. He thanked the Community Action Agency for beginning a new feeding program on the north side of town at Watsonia Recreation Center. Mayor Davis announced that all Council members are now members of the Chamber of Commerce and feels this is a positive move to unite Council. Mayor Davis has received numerous comments on the positive changes they are seeing in Marion. He has visited Marion Baptist Church and the Church of God receiving warm welcomes from both and feels we are on the way to uniting our great City. We will leave the naysayers behind and move forward. Mayor Davis stated that we are working very hard on Police Department and they need our help. Mayor Davis recently spoke with Senator Tim Scott and they are working with us on some of our needs in the Police Department. He also met with Senator Kent Williams and Representative Wayne George, along with others, who pledged to do what they could to help build up our Police Department to the level it should be. There is an announcement forthcoming from an individual and his company who are making a bold move in supporting our efforts for the Police Department. Mayor Davis announced that Mrs. Vickie Nichols has been promoted from within to Grant Writer/Publicist and will be seeking grant money for our

City. Mayor Davis emphasized that the citizens should be patient as these things did not happen overnight and cannot be fixed overnight, give us time and hopefully you will see what is happening in the City of Marion. Habitat of Humanity sent a letter of thanks to the City of Marion for allowing them to have an office at City Hall for many years. They have now moved into a larger building and Mayor Davis thanked them for all they have done for Marion County. Mayor Davis stated there is a food drive still in progress for the victims of the Oklahoma tornados and asked that residents donate anything they can. Mayor Davis announced that as promised, the Youth Council (ages 5-21) will meet June 24th at 5:30 p.m. in Chambers and the Adult Council (ages 22-61) will also meet on June 24th at 6:30 p.m. The meeting time for the Senior Council (ages 62 & up) will be announced at a later date. The Town Hall meeting will be scheduled for July and everyone is encouraged to attend and ask questions.

PUBLIC COMMENTS

Ms. Kathy Hall spoke earlier at the Public Hearing regarding funding for the PDRTA. Mr. McNeil with PDRTA was also present and was advised by Mayor Davis that he would need to request to be on next month's agenda in order to make any comments.

Mr. Joe Frazier is seeking use of the Opera House, or another suitable location, for the District 4 Block Watch meetings as they have outgrown using someone's residence. Mayor Davis commented that Mr. Ammons would check into this for the committee.

Mrs. Ellen Baldwin asked for support from Council for the School Supply Giveaway. If anyone wishes to purchase any school supplies or make a cash donation, it can be dropped off to Pam Jones at City Hall.

Ms. Tara Bennett spoke on some concerns with the Police Department as she has had some issues with a police officer's wife and feels the spouses should be held to the same standards of conduct as the officer. She also expressed concern that she was not allowed her day in court, as was her right.

EXECUTIVE SESSION

Councilman Michael Baker made a motion to enter Executive Session regarding legal advice on pending claims and pending lawsuits, seconded by Mayor Pro-tem Ronald Atkinson; motion carried. Upon returning from Executive Session Mayor Davis stated that no action was taken.

ADJOURNMENT

With no further business to discuss, Councilman Ralph Atkinson made a motion to adjourn, seconded by Councilman Michael Baker; motion carried.

Mayor Bobby L. Davis

City Clerk Pam Jones

Taped June11, 2013